

JCO6 Rec'd PCT/PTO 25 AUG 2005

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV707249202US, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 25, 2005

Signature: Yuki Tsukuda

(Yuki Tsukuda)

Docket No.: 15115/153001

(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Yoichi Nakanishi et al.

Application No.: 10/523,084

Filed: February 2, 2005

For: OPTICAL SWITCH AND OPTICAL SWITCH  
UNIT

Confirmation No.: 8516

Art Unit: N/A

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements – Filing Date Granted mailed July 26, 2005, Applicant respectfully submits a Combined Declaration and Power of Attorney, an Application Data Sheet, and a Copy of Notification.

Please charge our Credit Card in the amount of \$130.00 covering the fee set forth in 37 CFR 1.16(f). Credit Card Payment Form SB-2038, with a signature from an authorized cardholder, is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 50-0591, under Order No. 15115/153001.

09/01/2005 ATRAN1 00000122 10523084

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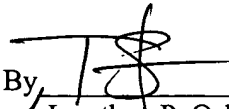
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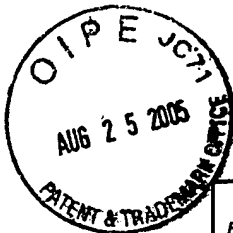
Application No.: 10/523,084

Docket No.: 15115/153001

Dated: August 25, 2005

Respectfully submitted,

By  #45,079  
Jonathan P. Osha THOMAS SCHERER  
Registration No.: 33,986  
OSHA · LIANG LLP  
1221 McKinney St., Suite 2800  
Houston, Texas 77010  
(713) 228-8600  
(713) 228-8778 (Fax)



Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

<b>Effective on 12/08/2004.</b> <b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b> <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b>	
		Application Number	10/523,084-Conf. #8516
		Filing Date	February 2, 2005
		First Named Inventor	Yoichi Nakanishi
		Examiner Name	Not Yet Assigned
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	Art Unit	N/A	
<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b> 130.00	Attorney Docket No.	15115/153001

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 50-0591 Deposit Account Name: Osha · Liang LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**      **Multiple Dependent Claims**

\_\_\_\_\_ - = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_      **Fee (\$)**      **Fee Paid (\$)**

**Indep. Claims**      **Extra Claims**      **Fee (\$)**      **Fee Paid (\$)**

\_\_\_\_\_ - = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____ / 50 (round up to a whole number) x _____	_____	_____

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1051 Surcharge-Late oath or declaration      130.00

<b>SUBMITTED BY</b>			
Signature		Registration No. (Attorney/Agent)	33,986
Name (Print/Type)	Jonathan P. Osha	Telephone	(713) 228-8600
	THOMAS SCHERER	Date	August 25, 2005

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Dated: August 25, 2005

Signature: (Yuki Tsukuda)



Application No. (if known): 10/523,084

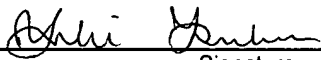
Attorney Docket No.: 15115/153001

## Certificate of Express Mailing Under 37 CFR 1.10

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on August 25, 2005  
Date

  
Signature

Yuki Tsukuda

Typed or printed name of person signing Certificate

Registration Number, if applicable

713-228-8600  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Declaration (Japanese Language) (5 pages)



Application No. (if known): 10/523,084

Attorney Docket No.: 15115/153001

## Certificate of Express Mailing Under 37 CFR 1.10

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on August 25, 2005  
Date



Signature

Yuki Tsukuda

Typed or printed name of person signing Certificate

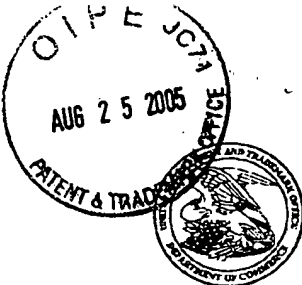
Registration Number, if applicable

(713) 228-8600

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Fee Transmittal (1 page)  
Application Data Sheet (4 pages)  
Declaration (Japanese Language) (5 pages)  
Part 2 Copy of Notification (2 pages)  
Response to Notification of Missing Requirements (2 pages)  
Payment by credit card. Form PTO-2038 is attached  
Charge \$130.00 to credit card



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Page 1 of 2

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/523,084	Yoichi Nakanishi	15115/153001

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/JP03/08688

I.A. FILING DATE	PRIORITY DATE
07/09/2003	08/05/2002

22511  
OSHA LIANG L.L.P.  
1221 MCKINNEY STREET  
SUITE 2800  
HOUSTON, TX 77010

Action: <i>Missing Parts (2mo)</i>
Base Date: <i>7/26/05</i>
Due Date: <i>9/26/05</i>
Deadline: <i>2/26/06</i>
Initials: <i>LL</i>
Atty./Sec. Initials: _____

CONFIRMATION NO. 8516  
371 FORMALITIES LETTER



\*OC000000016612480\*

Date Mailed: 07/26/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/02/2005
- English Translation of the IA filed on 02/02/2005
- Copy of the International Search Report filed on 02/02/2005
- Copy of IPE Report filed on 02/02/2005
- Preliminary Amendments filed on 02/02/2005
- Information Disclosure Statements filed on 02/02/2005
- Oath or Declaration filed on 02/02/2005
- Request for Immediate Examination filed on 02/02/2005
- U.S. Basic National Fees filed on 02/02/2005
- Priority Documents filed on 02/02/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,084	PCT/JP03/08688	15115/153001